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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

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8 UNITED STATES OF AMERICA,

Case No. 3:10-cr-00026-LRH-WGC-1

9 Plaintiff,

10 v.

11 PHILIP STOTT,

12 Defendant.
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14 Before the Court is Defendant Philip Stott's (Stott) Motion for Clarification from the Court
15 filed on June 13, 2023. Stott's Motion seeks clarification on whether the Court's "recommendation
16 include[s] a direct designation to a halfway house or minimum security." ECF No. 57, 2:7-10. In
17 the instant case, Stott was sentenced to twelve (12) months imprisonment for theft and receipt of
18 stolen mail matter in violation of 18 U.S. C. § 1708. This term is to run consecutive to his sentence
19 in Second Judicial District Court for Washoe County, Nevada Case No. CR10-1155. ECF No. 32.
20 The Court also made a recommendation to the Bureau of Prisons for Stott to be "as close to Reno,
21 NV as possible." *Id.* The Court did not make any recommendation as to the type of facility where
22 Stott was to serve his term of imprisonment.

23 The authority of whether to designate a prisoner to a halfway house lies with the Bureau of
24 Prisons.

25 **The Director of the Bureau of Prisons** shall, to the extent practicable, ensure that
26 a prisoner serving a term of imprisonment spends a portion of the final months of
27 that term (not to exceed 12 months), under conditions that will afford that prisoner
28 a reasonable opportunity to adjust to and prepare for the reentry of that prisoner
into the community. Such conditions may include a community correctional
facility.

18 U.S.C. § 3624(c)(1) (emphasis added).

1 To the extent that Stott is asking the Court for a modification of his sentence, the Court
2 **DENIES** Stott's Motion for Clarification (ECF No. 57). Here, the Court's recommendation at
3 sentencing did not include a recommendation that Stott be designated to a halfway house or
4 minimum security. As such, this is a matter reserved to the Director of the Bureau of Prisons.

5 IT IS SO ORDERED.

6 DATED this 17th day of July, 2023.

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8 LARRY R. HICKS
9 UNITED STATES DISTRICT JUDGE
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